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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,701	01/07/2000	MAKOTO KOBAYASHI	12989-(JA998	4634
7590	03/02/2005		EXAMINER	
RICHARD L CATANIA ESQ SCULLY SCOTT MURPHY & PRESSER 400 GARDEN CITY PLAZA GARDEN CITY, NY 11530			JAROENCHONWANIT, BUNJOB	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/480,701	KOBAYASHI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Bunjob Jaroenchonwanit	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 May 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 10 is/are allowed.
- 6) Claim(s) 1-9, 11-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/22/04 has been entered.
2. The amendment and argument has been considered, the rejection cited are as stated below.
3. The text of those sections of Title 35, U.S. Code § 102 (e) and 103 (a) not included in this action can be found in a prior Office Action.
4. Claims 1-4, 6, 8-13 are rejected under 35 U.S.C. 102 (e) as being anticipated by Pacifici et al (US. 6,230,171).
5. As to claims 1, 3, 4, 9-13 Pacifici discloses a method and apparatus (hereafter a system) for sharing HTML Documents, i.e., shared web pages, including a markup system, which is downloaded from central server (Col.4, lines 26-45). The markup system includes a Markup manager, i.e., NodeManager, for controlling browser in each of collaboration nodes (410, Fig.1); a Markup Agent (412), i.e., PageManager, for controlling, detecting changes of the shared web pages, communicating the changes between clients terminals (412, Fig 4). Pacifici's system further includes a browser in each of the client nodes, which is capable of presenting multiple frames (Fig. 4). Furthermore, Pacifici discloses the Markup Agent comprises a module for capturing event (416) for detecting changes, e.g., user interaction or URL changes, in the shared web page, communicating the changed between the surrogate and the controller, i.e.,

sending/receiving changes between PageManager and NodeManager (abstract; Fig. 2; Col. 4, line 10-Col. 5, line 47; Col. 6, lines 15-57). Moreover, Pacifici includes a means, collaboration server, for inserting Java script for functioning as Markup Manager and Markup Agent, which invoking within each and every shared document, i.e., server include a means for embedding PageManager in each page (Col. 4, lines 27-32). Pacifici discloses PageManager analyzes from hierarchical structure of a page and communication with a Page Manager based on this analysis result (Col. 8, lines. 30-45).

6. Regarding claim 8, Pacifici discloses the Markup system is Java Script (Col. 4, lines 9-26), i.e., a PageManager is embedded as Java applets which have an identical domain and data communication by shared memory is performed between said PageManager and said NodeManager.

7. Claims 1-4, 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable under Anupam et al (US. 6,411,989) and Pacifici et al., (U.S. 6,230,171).

8. Regarding claims 1, 3, 4, 9, and 11-13, Anupam discloses a method and apparatus (hereafter a system) for sharing Web-top, i.e., shared web-page, browser, having a manager and a controller for controlling browser in each of collaboration nodes, i.e., NodeManager, and each of the nodes includes a surrogate, i.e., PageManager, for controlling, detecting changes of a shared web page, sending the change to the controller(s) and/or receiving the changes from the controller. Furthermore, Anupam discloses the surrogate is capable of detecting changes, e.g., user interaction or URL changes, in the shared web page, communicating the changed between the surrogate and the controller, i.e., sending/receiving changes between PageManager and

NodeManager (abstract fig. 2; Col. 3, line 40-Col. 4, line 18). Such teaching infers that the means for detecting change and means for receiving changes are inherent.

Even though, Anupam does not explicitly disclose an embedding means, or embedder, in a server, for embedding PageManager in each of the page, and analyzes from hierarchical structure of a page and communication based on this analysis result. However, the means for embedding PageManager and communication bases on analysis of hierarchical page are no novelty. In analogous art, Pacific employed the same concept in its web based collaboration system, which included embedding PageManager in a web page, i.e., inserting Java scripts for functioning as a Markup Agent in every frames, for detecting web frame's content activities and allowing client terminals to share HTML documents, e.g., pages (abstract; Fig. 2-4; Col. 4, line 10-Col. 5, line 47; Col. 6, lines 15-57). Further, Pacifici discloses analyzing from hierarchical structure of a page and communication with a Page Manager based on this analysis result (Col. 8, lines. 30-56).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to Modify Anupam's collaboration system with the Pacific's concept, to embed the Surrogate applet within each of the web pages as suggested by embedding Markup Agent's concept in Pacifici, with the motivation to provide a platform independent that is capable of directly annotating page, dynamically adding the page component for operable across the platform as well as in a specific browser (Col. 2, lines 60-67). .

9. Regarding claim 2, Anupam-Pacific discloses a server included manager for control session between collaborative browsers, controlling list of documents to be reviewed by the perspective collaborator, and displaying pages previously created to the new participant, visiting

the sequence URL to review its history, (Anupam, Col. 3, lines 24-40; Col. 4, lines 33-67) e.g., computer U-N. Such teaching infers that the page and changed pages are stored, e.g., cache in the server for later presentation. Further, Anupam-Pacific discloses the system using JAVA applet to create a surrogate and Markup Agent, in each browser and page, i.e., the server embedding PageManager for controlling pages in each page (Pacifici, Col.4, and lines 9-26).

10. Regarding claim 6, Anupam-Pacific discloses the manager-controller located in the server (Anupam, Fig. 2), i.e., independently from browsers, does not migrate, control communication including dynamically generate and terminate session.

11. Regarding claim 7, in addition to disclosure as described in claim1, Anupam- Pacifici, further, discloses the manager created lists of on going session, which previously created by computer U-1, to be displayed or reviewed in a new participant computer U-N, i.e., transition history of a page (Anupam, Col. 3, lines 24-40; Col. 4, lines 33-53).

12. Regarding claim 8, Anupam-Pacific discloses, a PageManager is embedded as Java applets which have an identical domain and data communication by shared memory is performed between said PageManager and said NodeManager, e.g., a Surrogate and Markup agent are JAVA applets created for communicating with the controller in the same domain (Pacifici, Col. 4, lines 9-32).

13. Claim 14 are rejected under 35 U.S.C. 103(a) as being unpatentable under Anupam-Pacific et al, as applied to claims 1-13, and further in viewed of what was well known in the art.

14. Regarding claims 14, Anupam-Pacific discloses the invention substantially, as claimed, as described, above, but does not explicitly disclose memory queue for functioning as a message queue. Official Notice is taken (see MPEP 2144.03) memory queue was well known in the art at

the time of the invention was made, and has been widely utilized for queuing data information for communications both internally and externally long before the invention was made. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made that employ the well-known memory queue for queuing messages between PageManager, NodeManager, Surrogate, Markup Agent, Markup Manager, or etc. with the motivation of properly distributing message services.

15. Claim 10 is allowed.

16. Applicant's arguments filed on 12/22/04 have been fully considered but they are not persuasive. In the remark applicant argued extensively, directed to Pacifici is not qualify prior art under 35 USC.103 (c). In attempting to resolved this issue, the Examiner called applicant, however, there is no respond from the Applicant. Therefore, on the record, Examiner suggests the Applicant to filed a statement for establishing common ownership, which must include "at the time the invention was made" the claimed invention and the reference are commonly owned by IBM (See MPEP 706.02 (l)(1).)

Furthermore, Applicant contended that claims 5 and 7 are allowable, without supporting argument. The amendment is addressed in the claim rejection, above.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

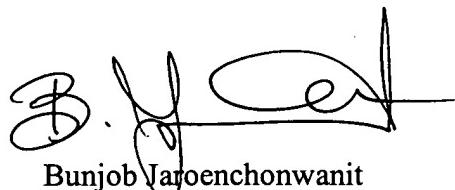
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bunjob Jaroenchonwanit  
Primary Examiner  
Art Unit 2143

/bj  
2/23/05